08-01789-cgm Doc 19908 Filed 10/27/20 Entered 11/02/20 17:58:22 Main Documen Mile if Gild Dof 11

IRVING H. PICARD TRUSTEE

C/O BAKER & HOSTETLER LLP

45 ROCKEFELLER PLAZA

NEW YORK, NEW YORK 10111

CLERK OF THE UNITED STATES BANKRUPTCY COURYT

THE SOUTHERN DISTRICT OF NEW YORK

ONE BOWLING GREEN

NEW YORK, NEW YORK 10004

I DAVID GROSS ORIGINALLY INVESTED FUNDS WITH A FIRM COHMAD SECURITIES CORPORATION 50 SUTTON PLACE SOUTH 1C NEW YORK NY 10022

RICHARD GEORGE SPRING 20572 LINKS CIRCLE BOCA RATON FL 33496 MAURICE JAY COHN 54 ELDERFIELDS RD, MANHASSET NY 11030 APROXIMATELY IN THE YEARS OF 1988 WHEN OPENING AN ACCOUNT WITH COHMAD RICHARD

SPRING ADVISED ME THAT HIS FIRM WOULD NOT BE ABLE TO OPEN AN ACCUNT WITH MADOFF. AT THIS TIME SPRING WOULD INVEST MY FUNDS WITH COHMAD SINCE IT WAS LIKE A SUBSIDIARY OF MADOFF I COULD BE ASSURED OF WISE DECISION. YEARS LATER SPRING ADVISED DAVID GROSS THAT HE WAS ABLE TO OPEN THE MADOFF ACCOUNT DUE TO THE FACT I HAD ENOUGH FUNDS WITH THE SPRING ACCOUNT

AT COHMAD. I IASSURE YOU THAT RICHARD SPRING WAS COMPENSDATED AND DIRECTED THE INVESTMENTS FOR OTHERS TOO,

I AM ENCLOSING SOME OF THE DOCUMENTS TO VERIFY THAT INVESTMENTS OF DAVID GROSS WAS NOT ACCOUNTED FOR AS MONIES COHMAD USED TO COMPENSATE MR. SPRING. COHMAD RECORDS SHOULD SHOW HOW SPRING WAS COMPENSATED FOR HIS REPRESESSNTING COHMAD - MADOFF - ETC.

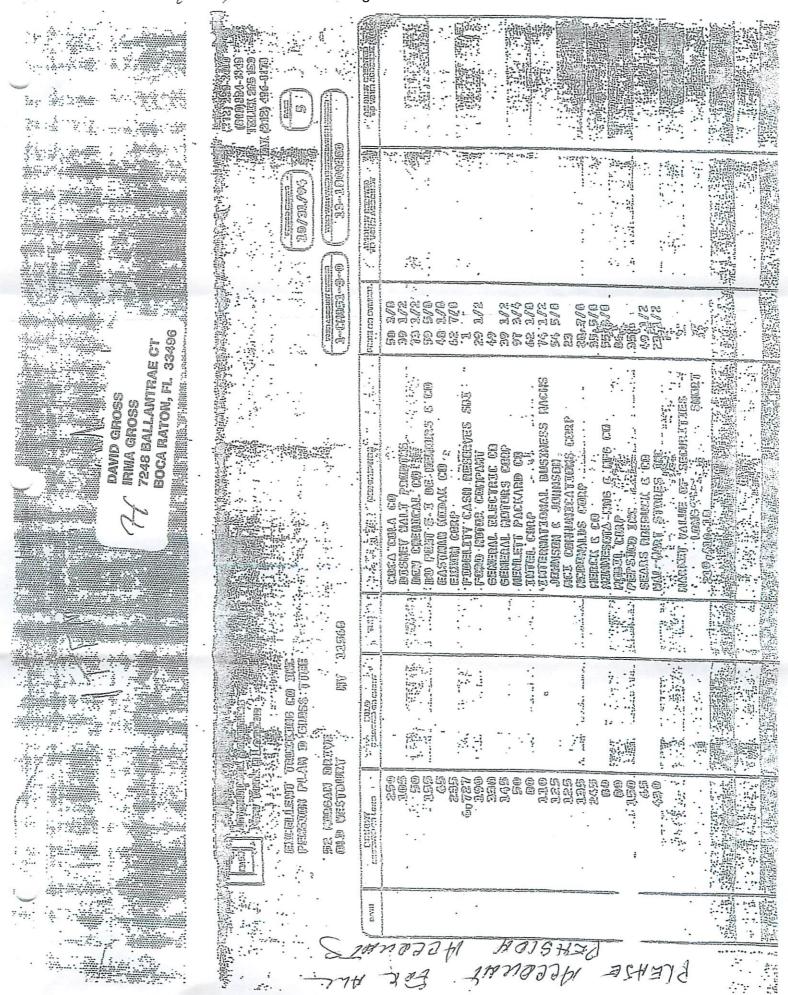
PS ANY FURTHER INFORMATION NEEDED , CONTACT DAVID GROSS 7248 BALLANTRAE CT BOCA RATON FL. 33496 561 483 4543 CELL 516 263 3642

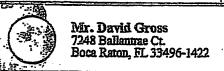
I DAVID GROSS HAS A ARBITRATION BEING HELD UP BY PICARDS ATTORNEYS AND ADVISERS WHO KNOWS WHAT HE WILL DO NEXT.

IT WOULD GREATLY BE APPRECIATED THAT PICARD WOULD ALLOW MY ARBITRATION GOING FORWARD WITH FINRA PLEASE HELP

DAVID GROSS **BATON, FL 33496** 







07/07/2015

IRVING H. PICARD ESQ. '

TRUSTEE FOR BERNARD L. MADOFF INVESTMENT SECURITIES LLC

CLAIMS PROCESSING CENTER

2101 CENTER SPRINGS RD. SUITE 1100

DALLAS TX.75201

I DAVID GROSS ENCLOSING INFORMATION THAT I WAS INVESTED IN A IRA AND ENCLOSED INFORMATION IDENTIDIES THE ACTUARIES WHO HANDLED THIS ACCOUNT. THIS ORIGIALLY WAS WITH RETIREMENT ACCOUNTS INC.AND FISERV INVESTMENT SUPPORT SERVICES AND THE FINAL ANALISISTS WAS WITH MILLENNIUM TRUST COMPANY.

THE DAVID GROSS IRA INFORMATION AND ALL SHOULD BE AS RECOMMENDED IN THE LETTER OF APRIL 28, 2015 BY MILLENNIUM TRUST COMPANT.

AS OF THIS WRITING, THE TRUSTEE HAS NOT EVEN RECOGNISED OR LISTED THIS ACCOUNT-CM302-3-0 IN THE OF DAVID GROSS.

AT THIS TIME ANY HELP OR SUGGESTIONS GIVEN BY ANY AUTHORITY WILL BE GREATLY APPRECIATE.

DAVID GROSS

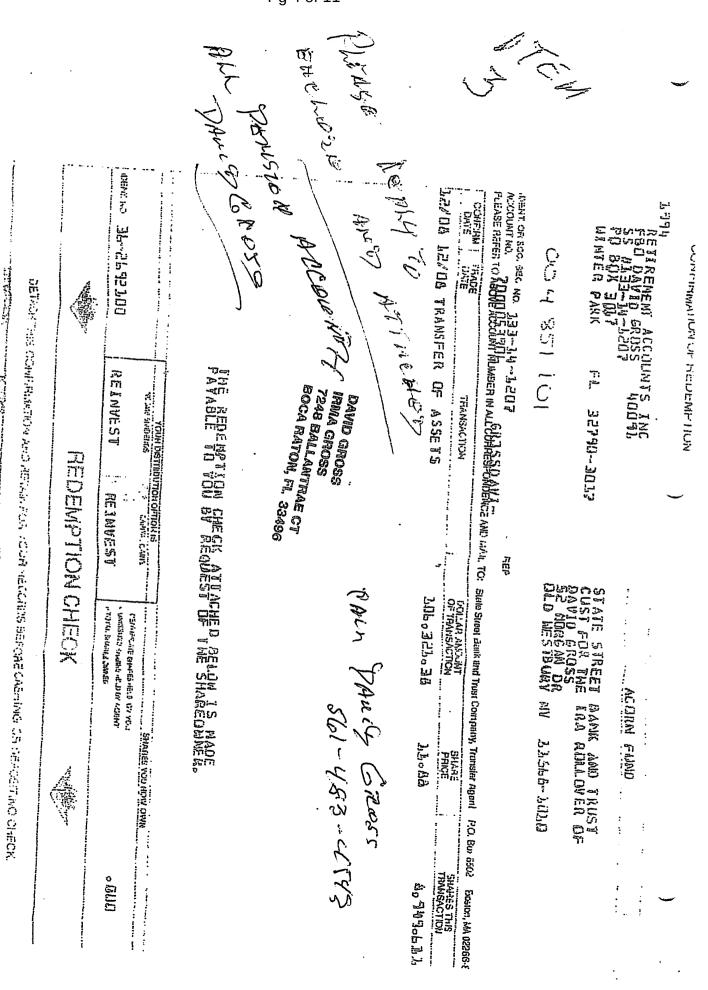
561 483 4543 - CELL 516 263 3642

7248 BALLANTRAE CT.

BOCA RATON FL 33496

David Gross 7248 Ballantrae Ct. Boca Raton, FL 33496

PLEASING TO SEL- YP3-4543 TO SEL-YP3-4543



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DAVID GROSS IRMA GROSS 7248 BALLANTRAE CT BOCA RATON, FL 33496 IN ACCOUNT WITH September 18 and New York, MY 10022 Investment Securities *8*407 (212) 230-2400 New York o Landon (000)884-1848 THELLEC 285 180 IMX (3:13) 486-8178 RETIREMENT ACCTS ENC CUST ERA FIRED DAVED GROSS KADOGED סוומכוסמוווים 12831194 P 0 BON 3027 UNIVER PARK F4. 32790 AUTHORN AUTODOS VILLED YOUR TANIVACE (BELLEMBASSOI) BURNER 3--EM302--3---0 55-2600927 CORGELL DULLY COLD ON CHAIR unis . DEDGGGGGGG priipa on Gyrabos ATTOURNE DEDITIEN Verority, chroude NO BALANCE FORHARD TRANS FROM 20M05330 JRNI. CHECK 210-174-21 JIRNI. 20603230 B CHECK 370,000 U S TREASURY BELL DUE 2216/1995 CHEOTY C٨ 54013304: 65696 990260 366, 61 (1000 ÇΛ 3.230569061 CHECK 370p000 CV 68326. 51097904 U S TREASURY BILL 990380 3670706001 DUE 2/16/1995 . . . caesomae cisees dudour 540,000 **τ:**Δ. 70825 6870 6. U S TREASURY BILL 990070 534,970,00 DUE 3/2/1995 12:675 EAEEV FIDELTTV CASH RESERVES SET 220675000 NEH BALANCE 050 SECURITY POSITIONS 120675 MUT PRECE Frdelity Cash Reserves SDR 540,000 3 U S TREASURY BELL 99.070 DUE 3/2/1995 MARKET VALUE OF SECURATIES LONG

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08-01789-cgm Doc 19908 Filed 10/27/20 Entered 11/02/20 17:58:22 Main Document Pg 5 of 11

## BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

DECEMBER 11, 20081

## NOTICE OF TRUSTEE'S REVISED DETERMINATION OF CLAIM

October 8, 2010

David Gross (IRA) 7248 Ballantrae Court Boca Raton, Florida 33496 層

David Gross 7248 Ballantrae Ct Boca Raton, FL 33496 OCT 2 7 2020

U.S BANKRUPTCY COURT SO DIST OF NEW YORK

Dear David Gross (IRA):

## PLEASE READ THIS NOTICE CAREFULLY.

The liquidation of the business of BERNARD L. MADOFF INVESTMENT SECURITIES LLC ("BLMIS") is being conducted by Irving H. Picard, Trustee under the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq. ("SIPA"), pursuant to an order entered on December 15, 2008 by the United States District Court for the Southern District of New York.

The Trustee previously determined your claim on BLMIS Account No. 1CM302 designated as Claim No. 000057 and Claim No. 001950 pursuant to a Notice of Trustee's Determination of Claim dated March 11, 2010 (the "Prior Notice"). Based on information coming to the Trustee's attention subsequent to the issuance of the Prior Notice, the December 15, 1994 transfer from BLMIS Account No. 1CM051 has been adjusted to \$200,000.00 from \$150,000.00, resulting in a new deposit total of \$1,134,624.88. This Notice of Trustee's Revised Determination of Claim contains the corrected deposit total and the corrected adjusted overdrawn balance of \$908,773.98.

This Notice of Trustee's Revised Determination of Claim supersedes the Prior Notice and serves as the Trustee's revised determination with respect to BLMIS Account No. 1CM302 designated as Claim No. 000057 and Claim No. 001950 (the latter of which is duplicative of Claim No. 000057) and combined ("Combined Claim") for purposes of this revised determination.

Section 78*Ill*(7)(B) of SIPA states that the filing date is "the date on which an application for a protective decree is filed under 78eee(a)(3)," except where the debtor is the subject of a proceeding pending before a United States court "in which a receiver, trustee, or liquidator for such debtor has been appointed and such proceeding was commenced before the date on which such application was filed, the term 'filing date' means the date on which such proceeding was commenced." Section 78*Ill*(7)(B). Thus, even though the Application for a protective decree was filed on December 15, 2008, the Filing Date in this action is on December 11, 2008.

Pg Dalid Gross
7248 Ballantrae Ct
Boca Raton, FL 33496

Your Combined Claim for a credit balance of \$1,471,297.99 and for securities is DENIED. No securities were ever purchased for your account.

Further, based on the Trustee's analysis, the amount of money you withdrew from your account at BLMIS (total of \$2,043,398.86), as more fully set forth in Table 1 annexed hereto and made a part hereof, is greater than the amount that was deposited with BLMIS for the purchase of securities (total of \$1,134,624.88). As noted, no securities were ever purchased by BLMIS for your account. Any and all profits reported to you by BLMIS on account statements were fictitious.

As reflected in Table 1, certain of the transfers into or out of your account have been adjusted. As part of the Trustee's analysis of accounts, the Trustee has assessed accounts based on a money in/money out analysis (i.e., has the investor deposited more or less than he or she withdrew is originally invested principal and which part is fictitious gains that were fabricated by BLMIS. A customer's allowed claim is based on the amount of principal in the customer's account.

Whenever a customer requested a transfer from one account to another, the Trustee analyzed whether the transferor account had principal in the account at the time of the transfer. The available principal in the account was transferred to and credited in the transferee account. Thus, the reason that the adjusted amount of transferred deposits or withdrawals in Table 1 is less than the purported transfer amount is that the transferor account did not have sufficient principal available to effectuate amount is the amount of fictitious gain that was transferred to or from your account. Under the allowed claim.

Since there were no profits to use either to purchase securities or to pay you any money beyond the amount that was deposited into your BLMIS account, the amount of money you received in excess of the deposits in your account (\$908,773.98) was taken from other customers and given to you. Accordingly, because you have withdrawn more than was deposited into your account, you do not have a positive "net equity" in your account and you are not entitled to an allowed claim in the BLMIS liquidation proceeding. Therefore, your Combined Claim is DENIED in its entirety.

On March 1, 2010, the United States Bankruptcy Court for the Southern District of New York (Lifland, J.) issued a decision which affirmed the Trustee's Net Investment Method determining customer claims. The final resolution of this issue is expected to be

Should a final and unappealable court order determine that the Trustee is incorrect in his interpretation of "net equity" and its corresponding application to the determination of customer claims, the Trustee will be bound by that order and will apply it retroactively to all previously determined customer claims in accordance with the Court's order. Nothing in this Notice of Trustee's Revised Determination of Claim shall be construed as a waiver of any any such Court order.

PLEASE TAKE NOTICE: If you disagree with this determination and desire a hearing before Bankruptcy Judge Burton R. Lifland, you <u>MUST</u> file your written opposition, setting forth the grounds for your disagreement, referencing Bankruptcy Case No. 08-1789 (BRL) and attaching copies of any documents in support of your position, with the United States Bankruptcy Court and the Trustee within THIRTY DAYS after October 8, 2010, the date on which the Trustee mailed this notice.

PLEASE TAKE FURTHER NOTICE: If you do not properly and timely file a written opposition, the Trustee's determination with respect to your claim will be deemed confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: If you properly and timely file a written opposition, a hearing date for this controversy will be obtained by the Trustee and you will be notified of that hearing date. Your failure to appear personally or through counsel at such hearing will result in the Trustee's determination with respect to your claim being confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: You must mail your opposition, if any, in accordance with the above procedure, to each of the following addresses:

Clerk of the United States Bankruptcy Court for the Southern District of New York One Bowling Green New York, New York 10004

and

Irving H. Picard, Trustee c/o Baker & Hostetler LLP 45 Rockefeller Plaza w York, New York 10111

David Gross David Ballantrae Ct 7248 Ballantr, FL 33496 Boca Raton, FL 33496

Irving H. Picard

Trustee for the Liquidation of the Business of Bernard L. Madoff Investment Securities

cc: Millennium Trust Company, LLC FBO David Gross (IRA) 820 Jorie Boulevard, Suite 420 Oak Brook, Illinois 60523 08-01789-cgm, Doc 199080 Filed 10727/20 Entered 11702/20 17:58:22 BMain Document Pg. 9:01:14s
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Para Ballantrae Ct
Boca Raton, FL 33496

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11/17/1997	CHECK	(\$30,000.00)	(\$30,000.00)
1/23/1998	CHECK	(\$30,000.00)	(\$30,000.00)
3/18/1998	CHECK	(\$40,000.00)	(\$40,000.00)
4/22/1998	CHECK	(\$40,000.00)	(\$40,000.00)
6/23/1998	CHECK	(\$40,000.00)	(\$40,000.00)
8/24/1998	CHECK	(\$40,000.00)	(\$40,000.00)
10/6/1998	CHECK	(\$40,000.00)	(\$40,000.00)
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5/6/1999	CHECK	(\$40,000.00)	(\$40,000.00)
6/29/1999	CHECK	(\$40,000.00)	(\$40,000.00)
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9/23/1999	CHECK	(\$15,007.50)	(\$15,007.50)
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7/1/2002	CHECK	(\$45,000.00)	(\$45,000.00)
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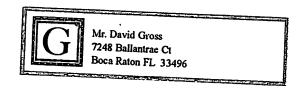


Mr. David Gross 7248 Ballantrae Ct Boca Raton FL 33496 08-01789-cgm Dec 19998 Filed 19/27/20 Entered 14/02/20 47:58:02 Name Document Pg 10 of 11

PLEASE David Gross 7248 Ballantrae Ct Boca Raton, FL 33496

David Gross 7248 Ballantrae Ct Boca Raton, FL 33496

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6/8/1995	OHLOK		\$50,676.7	WZ 1,043.2
6/19/1995	CHECK		\$14,881.2	\$\$0,070.7
6/23/1995	CHECK	<u> </u>	\$88,439.0	017,001.2
8/11/1995	CHECK	ļ	\$30,000.1	400,400.0
10/24/1995	CHECK	ļ	\$34,231.83	
11/3/1995	CHECK	ļ	\$24,046.4	1 40-1,201.0
12/14/1995	CHECK	<u> </u>	\$426.03	727,070.4
1/22/1996	CHECK		\$370.62	Ψ420.03
2/28/1996	CHECK		\$98,505.05	\$37 U.02
6/7/1996	CHECK		\$634.97	\$98,505.05 \$634.97
8/8/1996	CHECK		\$2,576.09	76.4004
10/27/1997	CHECK		\$9,452.24	Ψ2,070.09
11/10/1997	CHECK		\$151,228.38	W3,402,24
11/18/1997	CHECK		\$5,000.00	V.011220.00
4/13/1999	CHECK		\$166.63	\$5,000.00
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2/16/1996	DESCRIPTION		AMOUNT	ADJUSTED AMOUNT
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4/22/2005	CHECK	(\$16,000.00)	(\$16,000.00
7/1/2005	CHECK	(\$18,000.00)	(\$18,000.00
9/11/2006		(\$16,000.00)	(\$16,000.00)
11/16/2007	CHECK	(\$70,025.00)	(\$70,025.00)
9/2/2008	CHECK	(\$78,000.00)	(\$78,000,00)
otal Withdrawals:	CHECK	(\$85,317.86)	(\$85,317.86)
- Can Brandia avais.		(\$2,043,398.86)	(\$2,043,398.86)
Total days 11			
Total deposits less withdrawals:		(\$897,741.06)	(\$908,773.98)

LRAVD THERE SEND CORY MR GROSS

David Gross trae Ct. 33496 17248 Balanta FL 33496 SEND PHECKS